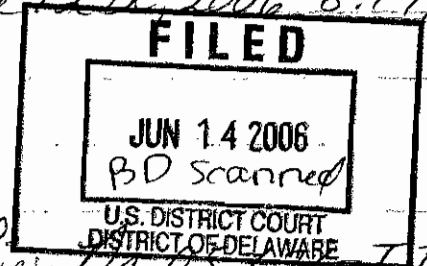


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To: United States District Court
844 N. King Street
Wilmington De. 19801

Fr: Ricky J Hamby
#191377 P.O. Box 9561
Wilmington De. 19809

June 12th 2006 8:14 p.m.



Re: Civ. No. 05-626 JJF
Response (D.I. 34)

J.J.F,

On the 5th day of June 2006 it was ordered that:

1. The Defendants shall file a response to Plaintiffs letter motion (D.I. 34) on or before June 9th, 2006.
2. Plaintiff may file a reply on or before June 14th, 2006.
3. The Clerk shall provide a copy of the letter/motion (D.I. 34) to Defendants along with this order.

As of today June 12th, 2006, I Ricky J Hamby "Did Not" receive any response from the Defendants.

I Ricky J Hamby, here on June 12th, 2006 "Again" that this being the 2nd motion for Injunctive Relief to be ruled as unimposed by the Defendant.s and that my motion be granted. Based on these events I will attempt to make clear, first, back in late June of 2005 when I was first threatened by Lt. Senator, "I did"

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in fact file a Grievance, that at the time I was housed on 1-B Pod, I never got any response and after about 1 Month I filed again to no avail. Throughout the day of ^{weeks} ^{month} my movements I would receive comments by Staff and Non Staff parties. (see court records)

On 3/25/06 at approximately 7:30 p.m. I received my second direct threat from Lt. Senato personally, Quote, 'It's a good thing you moved Hamby, I was thinking maybe you wouldn't, because I was going to literally shove this mace can down your throat and watch you choke!' Officer Rafinberger and officer Gasner was with him doing a security check/garbage pick up.

On 5-25-06 at 1:10 p.m. while housing on 2-Q-7 pod, the officer (Wright) after just securing my door a few minutes before, he opened my secured door from his security panel (see letter filed May 31st. 06, -) to allow 3 attackers to enter my cell (see also taped statement from Captain Bergegnun) about said incident and also evidence where 3 puncture wounds inflicted upon myself by the attackers; although they may not be life threatening but are still healing and are still infected, I still have not received any

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medical care except for 3 large bandaids to place over each wound.

On 5-26-06, Lt. Senato came to 1-E-16 where I was housing and I showed him my wounds and that they were still bleeding and ask for help, he ignored me stating, "just don't Pick at it" "you'll be alright".

Approximately 2 hours later a Sgt. Edwards came and took my Prosthetics Boots and Leg Brace, also my Medically Ordered Pillows, 2 extra sheets, stating when ask "who ordered you to do this", he stated, "I was ordered by Medical to come and take everything, I ask him who specifically, and he refused to answer.

On 5-27-06, I wrote to the court informing that of these events, I also wrote to the warden, (no response) William Joyce, the New Medical Director, being the forth in a year, On 6-10-06, Lt. Dykes came to me and said he was looking for my Medical stuff asking for a discription of which I gave and so far I received my Prosthetics Boots + Leg Brace, Scott Altman and William Joyces Assistant came to see me about another Medical Grievance I filed in Feb: of 2006, where I informed

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all four Committee Members about this incident and other Medical needs of which I was assured "again" it will be taken care of imm:

The courts have consistently held that knowledge of the need for Medical Care and intentional refusal to provide that care constitute deliberate indifference - *Mandel v. Doe*, 888 F.2d 783 (1989) - *Carswell v. Bay County* 854 F.2d 454 457 (11th Cir. 1988).

It also should be of great concern of this court that by an institutional State Employee deliberately opened a secured door to allow 3 attackers to inflict physical harm upon myself, he too, along with this institutional staff, Medical Staff as a whole is requested to be added and held liable into this law suit.

Mandel v. Doe 888 F.2d 783 (11th Cir. 1989)
Denial of Defendants Directed Verdict Motion

IV. Conclusion

The District Court properly denied defendants motion for directed verdict on the issue of deliberate indifference and Monell liability. The District Court Correctly directed a verdict for Mandell on the Monell issue. Accordingly, the judgement of the district court is

AFFIRMED.

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Plaintiff is presently putting together a brief of the facts, events, dates, times, persons and case law to give this court further proof (should it be needed) in confirming that this (my) case is just and should be upheld in my favor.

I also still hold firm in my statements and accounts of any and all events that has lead up to all involved and still willingly will take a lie-detector test to compound my issues firmly!

Although it is only one (Ricky J Hamby) against many, this is a true and factual account of what happened, it is exact and true and also goes beyond a deliberate indifference and is greatly urged that this court see through blindfolds and attempts to discredit my motion, for it is "all" true and I stand firm.

This motion should be confirmed and granted.

With Confidence and Respects
Ricky J Hamby

cc: a y
r h
file

